

Town Board Minutes

September 21, 2015

Meeting No. 28

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 21st day September of 2015 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
DINO FUDOLI, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
JEFFREY SIMME, CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
MARK LUBERA, PARK CREW CHIEF
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

EXECUTIVE SESSION:

AT 8:07 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER STEMPIAK AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing the medical, financial, credit or employment history of a particular person, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person and potential litigation.

At 8:52 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, spoke to the Town Board on the following matter:

- The Town's Comprehensive Master Plan and the condition of County roads.

Brainard, Joseph, spoke to the Town Board on the following matter:

- Comments regarding construction of Hidden Meadow Subdivision and access to property from Clinton Street.

Chowaniec, Lee, spoke to the Town Board on the following matter:

- Hidden Meadow Subdivision and the use of Town land as access to construction area.

Ezzo, George, Manager of Buffalo-Lancaster Airport, spoke to the Town Board on the following matter:

- Comments regarding management procedures at Buffalo-Lancaster Airport.

Fronczak, Mike, spoke to the Town Board on the following matters:

- Change Order for additional asbestos removal.
- Hidden Meadow Subdivision access from Transit Road.
- Questions regarding fund balance.
- Use of convicts to clean cemeteries.
- Licensing of plumbers by Town of Lancaster.
- Bollards at Public Safety Building.
- WalMart citation.

Hangauer, Carmen, spoke to the Town Board on the following matter:

- Comments regarding management structure of Buffalo-Lancaster Airport.

Harmon, Tom, spoke to the Town Board on the following matter:

- Hidden Meadow Subdivision, specifically, access road to be used by developer and concerns regarding heavy equipment use, drainage concerns.

Kazmierczak, Tom, spoke to the Town Board on the following matter:

- Narcan training.

Maddock, Frank, spoke to the Town Board on the following matter:

- Petition to remediate Como Lake Park.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held September 8, 2015 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 21, 2015

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 41475 to Claim No. 41659 Inclusive

Total amount hereby authorized to be paid: \$1,223,139.52

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 21, 2015

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
24227		Luther Enterprises Inc.	1 Sterling Pl	Er. Fence	
24433		Town of Lancaster	0 Transit Rd	Cell Tower Co-location	
24486		Paul Haniszewski	887 Ransom Rd	Dem. Bldg	
24487		Brian & Caroline Backert	31 Christen Ct	Re-Roof	(V/L)
24488		Joe Smith	79 Middlebury Ln	Er. Fence	
24489		Kelly A Wirth	5072 William St	Re-Roof	
24490		James & Karen Bauer	3579 Walden Ave	Er. Fence	(V/L)
24491		Tina Taylor	7 Sawgrass Ln	Er. Res. Alt.	
24492		Richard Schulmerich	56 Village View	Re-Roof	
24493		Eric & Jennifer Engasser	7 Huntley Dr	Re-Roof	(V/L)
24494		Donald & Collette Richardson	49 Sawgrass Ln	Er. Shed	
24495		Ronald Race	40 Middlebury Ln	Er. Shed	
24496		Fred E Reimer Sr Etal	31 Church St	Er. Deck	(V/L)
24497		Mark & Elise Vincentt	37 Madison St	Re-Roof	(V/L)
24498		Eric Gerth	36 Veterans Dr	Re-Roof	
24499		Eric Popken	43 Stephens Ct	Er. Fence	(V/L)
24500		Lynne T Bona	158 Irwinwood Rd	Er. Pool-In Grnd	(V/L)
24501		Majestic Pools Inc.	158 Irwinwood Rd	Er. Fence	(V/L)
24502		Amy L Marcezin	1881 Como Park Blvd	Er. Fence	(V/L)
24503		Marcio & Mariel Vieira	15 Birchwood Comm	Er. Shed	
24504		Fairway Hills Development	45 Pear Tree Ln	Er. Dwlg.-Sin.	
24505		Fairway Hills Development	11 Crabapple Ln	Er. Dwlg.-Sin.	
24506		Keith & Heather Scotland	5137 William St	Er. Shed	
24507		TDB Properties LLC	3981 Walden Ave	Er. Comm. Bldg.	
24508		Jacob & Lenore Schnitzer	144 Westwood Rd	Dem. Bldg	
24509		Ronald Adamczak	21 Doris Ave	Re-Roof	(V/L)
24510		Geoffrey & Kimberlee	5 Jonquille Ct	Er. Shed	
24511		Kathleen May	123 Richmond Ave	Er. Fence	(V/L)
24512		Kim Whalley	351 Broezel Ave	Re-Roof	
24513		Thomas F Gaffney	632 Harris Hill Rd	Re-Roof	
24514		Sitzmans Appliance Center	660 Hall Rd	Inst. Generator	
24515		Theodore & Kim Ulanowicz	42 Park Blvd	Er. Fence	(V/L)
24516		Natale Building Corp	36 Nicholas Ln	Er. Dwlg.-Sin.	
24517		Irwin Roofing	4 Quail Run Ln	Re-Roof	
24518		William Klink	5117 William St	Er. Dwlg.-Sin.	
24519		Morton Buildings Inc	135 Schlemmer Rd	Er. Garage	
24520		Lori Ann Dischner	3581 Bowen Rd	Er. Fence	
24521		Sun Enterpises Inc	45 Ivy Way	Er. Shed	(V/L)
24522		CGL Contracting LLC	18 Park Walk	Re-Roof	
24523		CGL Contracting LLC	1 Katelyn Ln	Re-Roof	
24524		Brian & Sandra Kisker	67 Old Post Rd	Re-Roof	
24525		Christopher Brown	20 Oakwood Comm	Er. Res. Alt.	
24526		Brian & Jennifer Kiecher	200 Pavement Rd	Er. Shed	
24527		Pleasant Meadows Assocs LLC	16 Magrum Ln	Er. Dwlg.-Sin.	
24528		Kasem Morshed	400 Harris Hill Rd	Er. Pool-Abv Grnd	
24529		Michael Logronio	36 Hemlock Ln	Er. Fence	
24530		Sidney & Barbara Reigle	101 Maple Dr	Er. Shed	
24531		Buddy Nguyen	4780 William St	Er. Res. Alt.	
24532		Jason Zeczak	16 Summit St	Re-Roof	
24533		George Feldman	568 Townline Rd	Dem. Bldg	
24534		Pamela Feldman	990 Townline Rd	Er. Shed	
24535		Christopher Chellino	43 Newberry Ln	Er. Shed	

24536	Howard Crawford Jr	5145 William St	Re-Roof	
24537	Mark & Diane Wnek	40 Nicholas Ln	Er. Fence	
24538	Colley's Pool Sales Inc	1 Beatrix Cir	Er. Pool-In Grnd	
24539	Colley's Pool Sales Inc	1 Beatrix Cir	Er. Fence	
24540	Mark & Denise Szymusiak	5671 Broadway	Er. Sign - Temp	
24541	Gerald & Edwina Forys	283 Ransom Rd	Er. Fence	
24542	RGGT LLC	31 Lancaster Ave	Re-Roof	(V/L)
24543	Town of Lancaster IDA	4106 Walden Ave	Er. Sign - Temp	
24544	Christopher Kmiotek	16 Petersbrook Cir	Er. Shed	
24545	Pleasant Meadows Assocs LLC	10 Magrum Ln	Er. Dwlg.-Sin.	
24546	Peter J Certo	147 Siebert Rd	Inst. Generator	
24547	Henry & Debra Levan	8 Via Tripodi	Er. Pool-In Grnd	
24548	Henry & Debra Levan	8 Via Tripodi	Er. Fence	
24549	Quality Quick Signs	4893 Transit Rd	Er. Sign - Wall	
24550	William C Baggiano	11 Birchwood Comm	Er. Deck	
24551	Marc & Kristen Morris	13 Avian Way	Er. Shed	
24552	Agen Quick Lube, Inc	4721 Transit Rd	Er. Sign - Wall	
24553	Kirk Starkweather	5588 Broadway	Re-Roof	(V/L)
24554	Mary Kathleen	123 Richmond Ave	Er. Pool-In Grnd	(V/L)

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 21, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated August 31, 2015, has requested the addition of a member to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department the following individual:

ADDITION:

Kathleen Bazulka
Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 21, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Town Board previously passed a resolution on August 18, 2014, authorizing Supervisor Fudoli to execute a Letter of Engagement with Cohen Law Group to perform services related to Cable Franchise Transfer and Franchise Fee Audit regarding the merger between Comcast and Time Warner, and

WHEREAS, on April 24, 2015 Comcast publically announced and Time Warner confirmed that the proposed merger between the two companies had been terminated, and

WHEREAS, a new cable transfer from Time Warner to Charter Communications, Inc., is currently ongoing, and

WHEREAS, Cohen Law Group has submitted a flat fee proposal to the Town of Lancaster to perform Cable Franchise Transfer services for the Town based upon a fee included in their Letter of Engagement dated August 18, 2015, and

WHEREAS, the Town Board and the Town Attorney have reviewed the proposal for services and have determined it to be in the public interest to engage the services of the Cohen Law Group as the Town deems appropriate based on the Letter of Engagement furnished to represent additional services to be rendered as a result of the proposed new cable merger between Time Warner and Charter Communications, Inc., and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute the Letter of Engagement by which the Town of Lancaster agrees to pay Cohen Law Group pursuant to its Letter of Engagement, an amount not to exceed \$2,231.00, not including extraordinary services or unforeseen developments, for those matters over which Cohen Law Group is employed by the Town for Cable Franchise Transfer services. If additional fees are necessary further approval will be required.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 21, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, with the growth of Lancaster over the past several years the amount of traffic on William Street has increased exponentially; and

WHEREAS, this has led to a dangerous situation for pedestrians and bikers who also use this county road during periods of heavy traffic; and

WHEREAS, William Street needs to be redesigned and reconstructed between Transit Road and Aurora Street in the Town of Lancaster in such a way that it can support the increased traffic count and ensure pedestrian safety; and

WHEREAS, local residents have signed a petition asking for the county to take care of its road and now it is time for something to be done; and

WHEREAS, Executive Poloncarz needs to take appropriate measures to protect the safety of the public and the residents who live in Lancaster and all county residents that walk or drive on William Street.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby supports the redevelopment and redesign of William Street in the Town of Lancaster to keep in mind the safety of drivers and others that share the road with motorists; and,

BE IT FURTHER

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive, the Commissioner of the Department of Public Works, the Superintendent for Highways of the Town of Lancaster, and any other party deemed necessary and proper.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 21, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, in recognition of the Town of Lancaster’s support of employees’ personal and professional development, Medaille College will offer a 20% discount to Town of Lancaster employees who enroll in any of Medaille College’s Adult and Graduate Education programs; and

WHEREAS, the Town of Lancaster believes that fostering employees’ personal and professional development will expand their personal growth and improve their morale and contribution to their career with the Town; and

WHEREAS, the Town Board of the Town of Lancaster deems it in the best interest of the Town and its employees to enter into the Employee Tuition Incentive Plan in cooperation with Medaille College; and

BE IT FURTHER

RESOLVED, that the Supervisor be and is hereby authorized and directed to execute the Employee Tuition Incentive Plan in cooperation with Medaille College, offering a 20% discount to Town of Lancaster employees who enroll in any of Medaille College’s Adult and Graduate Education programs subject to the terms and conditions contained therein.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 21, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, Stohl Remediation Services, Inc., 4169 Allendale Parkway, Blasdell, New York 14219, the contractor for the removal and disposal of the asbestos in a vacant metal building located at 525 Pavement Road has submitted Change Order No. 1 in the amount of \$3,880.00 to the Town Board for their approval, based on additional work performed to remove asbestos discovered in the ceiling which was provided to the Town Board;

**NOW, THEREFORE, BE IT
RESOLVED,** that the Town Board of the Town of Lancaster hereby approves Change Order No. 1 to **Stohl Remediation Services, Inc.,** with respect to the outlined descriptions provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. 1:

Additional compensation for removal of asbestos discovered in the ceiling.

CHANGE ORDER NO. 1:

The original Contract Sum was	\$ 25,128.00
The Contract Sum will be increased by this Change Order in the amount of....	\$ 3,880.00
The new Contract Sum increased including this Change Order will be	\$ 29,008.00

**BE IT FURTHER
RESOLVED,** that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 21, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Upstate Cellular Network d/b/a Verizon Wireless has submitted a site plan prepared by Costich Engineering, dated May 12, 2015 with a revision date of May 20, 2015 and received July 27, 2015 for the proposed construction and operation of a new wireless telecommunications facility to be known as “Pleasant View Wireless Telecommunication Facility” located at 525 Pavement Road, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their September 2, 2015 meeting, and

WHEREAS, the Town, acting as lead agency had previously completed an environmental review for the project on June 15, 2015, in conformance with SEQR (State Environmental Quality Review) regulations and on July 6, 2015 a Negative Declaration was issued, which is hereby confirmed.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Costich Engineering, dated May 12, 2015 with a revision date of May 20, 2015 and received July 27, 2015 for the proposed construction and operation of a new wireless telecommunications facility to be known as “Pleasant View Wireless Telecommunication Facility” located at 525 Pavement Road in the Town of Lancaster with the following condition:

- Provide documentation from the Federal Aviation Administration (F.A.A) that a light is not required at the top of the tower.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 21, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated September 16, 2015, has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Brandon Kryszak (rehire) Lancaster, NY	Recreation Attendant	\$9.00	September 9, 2015

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 21, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau by letter dated September 16, 2015 recommends that the Town of Lancaster continue to participate in the collaborative effort with Lancaster Central School District by providing 50% of the annual compensation and 50% of the annual cost of health insurance coverage for the Coordinator for the Family Support Center within the Lancaster Central School District, and

WHEREAS, the annual compensation cost is approximately \$50,497.20; and the annual health insurance cost is approximately \$17,734.00, and

WHEREAS, the Town Board deems it in the public’s interest to provide 50% of the annual compensation cost and annual health insurance cost to the District to ensure this service is maintained for the community.

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

That the Supervisor of the Town of Lancaster is hereby authorized to enter into an Agreement with the Lancaster Central School District for the purpose of providing a Coordinator for the Family Support Center for the period of September 1, 2015 to June 30, 2016 with the Town paying 50% of the annual compensation (\$25,248.60) and 50% of the annual health insurance (\$8,867.70) for a total contribution of \$34,116.30 for the Program Coordinator to the Lancaster Central School District, subject to the approval of the Town Attorney.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 21, 2015

SUSPENDED RESOLUTION:

Supervisor Fudoli requested a suspension of the necessary rules for immediate consideration of the following resolution:

UPON A MOTION DULY MADE BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER STEMPIAK AND CARRIED, a suspension was granted.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town has a current agreement with Lancaster Volunteer Ambulance Corp. (LVAC) to provide ambulance and related services within the Town of Lancaster, which will expire on December 31 , 2015, and

WHEREAS, the Town entered into this agreement dated February 8, 2011 which automatically renews for a period of two (2) years, unless either party provides a written notice not less than forty-five (45) days prior to expiration of that agreement of the intent to amend or not renew, and

WHEREAS, LVAC has requested that the renewal period be amended from the current two (2) year term to a three (3) year term, and

WHEREAS, by letter dated September 15, 2015 the four town fire companies have reviewed and approve the renewal extension; and

WHEREAS, the Town Board has duly discussed and reviewed this agreement and finds it to be in the public’s interest to amend the contract with LVAC under the terms of the previous agreement and to extend the renewal period;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Attorney is directed to memorialize this resolution in writing to LVAC advising them of the intent to continue the agreement under its previous conditions but to amend the renewal period from two (2) years to three (3) years, commencing on the first (1st) day of January 2016 and continuing through the thirty-first (31st) day of December 2018, unless terminated sooner per the terms of the original agreement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 21, 2015

COMMUNICATIONS & REPORTS

- 603. Supervisor to Code Enforcement Officer –**
Copy of letter from resident on Riemers Avenue regarding enforcement of the Town's 2015 Local Law related to storage and disposal of refuse and request for Code Enforcement Officer to investigate this issue.
Disposition = Received & Filed
- 604. Town Clerk to Town Board –**
Clerk's Monthly Report for August 2015. Disposition = Received & Filed
- 605. Erie County Legislature to Town Clerk/Receiver of Taxes –**
2015-2016 School Tax Warrant for Alden Central School District #1.
Disposition = Received & Filed
- 606. Erie County Legislature to Town Clerk/Receiver of Taxes –**
2015-2016 School Tax Warrant for Clarence Central School District CLC1.
Disposition = Received & Filed
- 607. Erie County Legislature to Town Clerk/Receiver of Taxes –**
2015-2016 School Tax Warrant for Depew Union Free School DUFC.
Disposition = Received & Filed
- 608. Erie County Legislature to Town Clerk/Receiver of Taxes –**
2015-2016 School Tax Warrant for Iroquois Central School District #1 IRC1.
Disposition = Received & Filed
- 609. Erie County Legislature to Town Clerk/Receiver of Taxes –**
2015-2016 School Tax Warrant for Lancaster Central School District #1 LC-1.
Disposition = Received & Filed
- 610. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building & Zoning Inspector –**
Draft copy of minutes from September 2, 2015 Planning Board meeting.
Disposition = Planning Committee
- 611. Planning Board to Town Board –**
Memo recommending approval of site plan review for Upstate Cellular Network d/b/a Verizon Wireless, 525 Pavement Road (Proj. #2676); comment noted. Disposition = Resolution 9/21/15
- 612. Planning Board to Town Board –**
Memo tabling the site plan review for 1202 Townline Road to a future Planning Board meeting (Proj. 5029); conditions noted. Disposition = Received & Filed
- 613. Planning Board to Town Board –**
Memo noting approval of sketch plan for Walden Avenue Patio Homes (Proj. 5022). Disposition = Planning Committee
- 614. Planning Board to Town Board –**
Memo recommending denial of revised site review for Enterprise Rent-A-Car Storage, 5550 Genesee St. (Proj. #4212). Disposition = Planning Committee
- 615. Erie County Dept. of Environment and Planning to Supervisor –**
Information regarding three public forums to determine needs and priorities of low and moderate income residents within the Erie County Community Development Block Grant Consortium. Disposition = Received & Filed
- 616. Erie County Dept. of Environment and Planning to Town Clerk –**
Household Hazardous Waste Drop-Off Day to be held on October 3, 2015.
Disposition = Received & Filed

- 617. Erie County Legislator Ted Morton to Commissioner Troy Schinzel, Dept. of Parks, Recreation and Forestry –
Request to work together to improve Como Lake Park.
Disposition = Received & Filed**
- 618. Supervisor to Buddy Nguyen –
Response to e-mail regarding concerns about the safety of open ditches on William St. Disposition = Received & Filed**
- 619. Supervisor to Student Senate President, Depew High School –
Letter of authorization from the Town of Lancaster for Depew High School to conduct the annual motorcade on October 16, 2015.
Disposition = Received & Filed**
- 620. Lieutenant Mitchell Converse to Morgan Fay, Payroll Clerk –
Letter of intent to retire from the Lancaster Police Dept. effective February 12, 2016. Disposition = Received & Filed**
- 621. Highway Superintendent to Town Board –
Request for change order for additional amount quoted for removal of asbestos from ceiling of metal building at 525 Pavement Road.
Disposition = Resolution 9/21/15**
- 622. Park Crew Chief to Supervisor and Town Board –
Request for resolution appointing one individual to the position of part-time permanent employee for the fall winter of 2015-2016 in the Parks, Recreation & Forestry Dept. Disposition = Resolution 9/21/15**
- 623. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**
- 624. Fire Chief Robert Poeller, Millgrove VFD to Supervisor –
Representing the four town fire companies regarding the renewal of the LVAC contract, none of the four fire departments has any objection to the renewal of the LVAC contract. Disposition = Received & Filed**

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY COUNCIL MEMBER STEMPNIAK AND CARRIED, the meeting was adjourned in memory of Magdlene Piontkowski at 8:52 P.M.

Signed _____
Johanna M. Coleman, Town Clerk